

REMARKS

This amendment is responsive to the Office Action of November 19, 2009, and is concurrently filed with a Request for Continued Examination (RCE).

Claims 2-17, 19-25 are pending in the application. Claim 24 has been amended. Claims 26, 27 have been added. No claims have been canceled. A total of 25 claims are now on file. The claim surcharge of \$52.00 for submitting one additional claim in excess of twenty is enclosed. No amendment to the specification has been made.

CLAIM OBJECTION

Applicant has amended claim 24 by changing "topside" to --top side--, as suggested by the Examiner.

Withdrawal of the objection to claim 24 is thus respectfully requested.

CLAIM REJECTIONS - 35 U.S.C. §103

Claims 2-17, 19-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Spitzer et al., of record, in view of U.S. Pat. No. 6,755,236 to Sivilotti et al.

The rejection under 35 U.S.C. 103(a) is respectfully traversed in view of the amendments to independent claim 24 and the following remarks.

Applicant has amended sole independent claim 24 by more clearly defining the conditioning step. More specifically, claim 24 now sets forth that the conditioning step includes a targeted structuring of the top side of the conveyor band to even out surface irregularities so that the subsequent cooling step results in an even cooling action. Support for the added subject matter in claim 24 can be found in paragraph [0024] of the instant specification. Claims 25 and 26 have been added to set forth particular processes to effect the targeted structuring. Support for the subject matter

of claims 26, 27 can be found in paragraphs [0024] and [0025] of the instant specification.

As the Examiner readily acknowledged, Spitzer et al. fail to disclose the step of conditioning a top side of the conveyor band.

In order to bridge the absence of teaching, the Examiner applies the Sivilotti et al. reference and notes that the disclosed cooling step results in a conditioning of the top side. Conditioning is also realized in Sivilotti by the application of liquid belt dressing, e.g. volatilizable oil.

It is respectfully submitted that a combination of Spitzer et al. and Sivilotti does not produce the invention set forth in claim 24.

As is described in col. 7, ll. 22-26, Sivilotti teaches the use of a quick cooling action (see also col. 2, ll. 7, 8 and col. 6, ll. 22, 23) in order to effect an extremely even and uniform cooling and thereby avoid the presence of surface irregularities. Thus, Sivilotti teaches the use of cooling to "condition" the cast strip article. In contrast thereto, the present invention, as set forth in claim 24, prepares, i.e. conditions, the surface of the conveyor band in a targeted way in order to avoid surface irregularities by structuring the top side of the conveyor band. In other words, Sivilotti and the inventors of the present invention contemplate different approaches.

As set forth in claim 26, there are various processes to effect the targeted structuring of the top side of the conveyor band, none of which is disclosed in Sivilotti.

Claim 27 sets forth the application of a thermally insulating separation layer on the top side of the conveyor band to effect the targeted structuring of the top side, whereby the thermally insulating separation layer step is applied by plasma spraying with aluminum oxide or zirconium oxide. Although Sivilotti describes in col. 2, ll. 48-52 the application of liquid belt dressing whereby the applied liquid, e.g. oil, is volatilized to form an insulative gas layer. However, this layer is provided merely to impact the heat transfer from the metal to the belt. There is no teaching of conditioning of the top side of the conveyor band to provide a targeted structuring in order to even out surface irregularities. Nor is there any disclosure in Sivilotti as to how the liquid belt dressing is implemented.

For the reasons set forth above, it is applicant's contention that neither Spitzer et al nor Sivilotti et al., nor a combination thereof teaches or suggests the features of the present invention, as recited in claim 24.

As for the rejection of the retained dependent claims, these claims depend on claim 24, share its presumably allowable features, and therefore it is respectfully submitted that these claims should also be allowed.

Withdrawal of the rejection under 35 U.S.C. §103(a) is thus respectfully requested.

CONCLUSION

In view of the above, each of the presently pending claims in this application is considered patentably differentiated over the prior art of record and believed to be in immediate conditions for allowance. Reconsideration and allowance of the present application are thus respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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